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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,556	01/08/2001	Wolfgang Bachmann	HAS-011.01	5700

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EXAMINER

LE, HUYEN D

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/756,556

Applicant(s)

BACHMANN ET AL.

Examiner

HUYEN D. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-16 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Yanagishima et al. (U.S. patent 4,514,599).

Regarding claims 1, 4, Yanagishima teaches flat panel loudspeaker arrangement which comprises a plurality of panel loudspeakers (5001, 5002, 5013, 5018, 5019, figures 3, 15, 16, 29, 30) of similar construction. As shown in the drawings, the panel loudspeakers of similar construction are positioned side-by-side and abutting seamlessly as claimed.

Regarding claim 2, Yangishima teaches the individual panel speakers include at least one driver, a sound panel and a support as claimed (figures 1, 5, 6, 7, 8).

Regarding claims 5-7 and 10, Yangishima shows a spacer profile (528, 529, 544, 545, 547, 550) in the backside of the sound panel (figures 7-10).

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Watters et al. (U.S. patent 3,347,335).

Regarding claims 1-3, Watters teaches flat panel loudspeaker arrangement which comprises a plurality of panel loudspeakers (figure 6) of similar construction. As shown in the

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drawings, the panel loudspeakers of similar construction are positioned side-by-side and abutting seamlessly as claimed (also see figure 2).

4. Claims 1-2, 4-8 and 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka (U.S. patent 5,025,474).

Regarding claims 1 and 4, Tanaka teaches flat panel loudspeaker arrangement which comprises a plurality of panel loudspeakers (figures 7, 12a, 12b, 16a, 16b) of similar construction. As shown in the drawings, the panel loudspeakers of similar construction are positioned side-by-side and abutting seamlessly as claimed.

Regarding claim 2, Tanaka teaches the individual panel speakers include at least one driver, a sound panel and a support as claimed (see the drawings).

Regarding claims 5-8 and 10, Tanaka teaches shows a spacer profile as claimed (23, 24, 26) in the backside of the sound panel.

Regarding claims 11-15, Tanaka shows a vent opening that includes a bass reflex tube or floating tube as claimed (15, 15a, 15b, 25, figures 3, 7, 12b, 14).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al. (U.S. patent 5,025,474).

Takewa does not specifically teach the type of the diaphragm (1a, 1b, 1c) as claimed. However, the examiner takes the Office Notice that providing a light, shear-resistant core sandwiched between the cover layers for the diaphragm in a speaker is very well known in the art.

Since Takewa does not restrict to any specific type of the diaphragm; it therefore would have been obvious to one skilled in the art to provide any type of the diaphragm (1, 1a, 1b, 1c) of the Takewa speaker for an alternate choice and depending on the desired frequency characteristics.

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagishima et al. (U.S. patent 4,514,599) or Watters et al. (U.S. patent 3,347,335) or Tanaka et al. (U.S. patent 5,025,474).

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Yanagishima, Watters or Tanaka does not specifically teach a bridge network as claimed. However, it is very well known in the art to electrically connect the speakers in the form of a bridge network.

Since Yanagishima, Watters or Tanaka does not restrict to any specific electrical connections for the panel loudspeakers; it therefore would have been obvious to one skilled in the art to provide any form of electrical connections for the speakers of Yanagishima, Watters or Tanaka such as the form of bridge network for an alternate choice.

Allowable Subject Matter

8. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mochida (U.S. 3,509,290) teaches a flat plate type loudspeaker with a plurality of drivers.

Takewa (U.S. 4,899,390) teaches a loudspeaker diaphragm having a core structure that is sandwiched between the layers.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUYEN D. LE whose telephone number is (703) 305-4844. The examiner can normally be reached on 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HL
June 11, 2004



HUYEN LE
PRIMARY EXAMINER